

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:06-cr-179-06

v.

HONORABLE PAUL L. MALONEY

VANCE LAMONT HALE,

Defendant.

_____ /

MEMORANDUM OPINION AND ORDER

Defendant Vance Lamont Hale has filed a motion for modification or reduction of sentence pursuant to 18 U.S.C. §3582(c)(2) based on the modification of the Drug Quantity Table with respect to cocaine base (crack cocaine).

Section 3582(c)(2) permits a court to reduce the term of imprisonment of a defendant who has been sentenced based on a sentencing range that has subsequently been lowered by the Sentencing Commission. 18 U.S.C. § 3582(c)(2). Amendment 706 and 711 of the United States Sentencing Guidelines modified the Drug Quantity Table with regard to cocaine base (crack cocaine). These modifications were made retroactive effective March 8, 2008. U.S.S.G. § 1B1.10(c).

However, Defendant Hale is not eligible for a sentence modification because the base offense level used at sentencing was 12. Accordingly, the amendments are of no assistance to the defendant. Therefore,

IT IS HEREBY ORDERED that Defendant Vance Lamont Hale's motion for modification of sentence pursuant to 18 U.S.C. § 3582(c)(2) (Dkt. #404) is **DENIED**.

Date: July 21, 2011

/s/ Paul L. Maloney

Paul L. Maloney
Chief United States District Judge